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To: [Dinetz Christiansen, Rachel](#); [Alder Reid, Lauren \(EOIR\)](#); [All of BIA \(EOIR\)](#); [All of Court Administrators \(EOIR\)](#); [All of Judges \(EOIR\)](#); [All of OCIJ HDO \(EOIR\)](#); [Anderson, Jill \(EOIR\)](#); [Apolito, Ingrid \(EOIR\)](#); [Barnes, Jennifer \(EOIR\)](#); [Barry, Robert \(EOIR\)](#); [Burgie, Brea \(EOIR\)](#); [Cicolini, Pietro \(EOIR\)](#); [Cunningham, Jennifer L. \(EOIR\)](#); [David Vignol](#); [Dever, Jeanette](#); [Don Lewis](#); [List Admin, ProBono \(EOIR\)](#); [Ellen Garber](#); [Gray, Gracie \(EOIR\)](#); [Harris, Alethea \(EOIR\)](#); [Jennifer McGraw](#); [John Kelley \(john.kelley@calbar.ca.gov\)](#); [Kier, Diane \(EOIR\)](#); [Kuiken, Celia \(EOIR\)](#); [McDowell, Ben \(EOIR\)](#); [Michael Jordan](#); [Michael Zachary](#); [Mittelstadt, Matthew James. \(EOIR\)](#); [Nieves, Manuel A. \(EOIR\)](#); [Noferi, Mark \(EOIR\)](#); [Noonen, John](#); [O'Connell, Catherine](#); [Park, Jeannie \(EOIR\)](#); [Peter Shaw](#); [Plateski, Jennifer E \(jennifer.e.plateski@uscis.dhs.gov\)](#); [Ramirez, Sergio \(EOIR\)](#); [Rich, John \(EOIR\)](#); [Rimmer, Phillip \(EOIR\)](#); [Rodrigues, Paul A. \(EOIR\)](#); [Ruffino, Lou \(EOIR\)](#); [Silber, Rachel](#); [Vick, Lindsay \(EOIR\)](#); [Wade, Catherine](#); [Williams, Tiffany \(EOIR\)](#)
Subject: Recently disciplined attorneys and updated list
Date: Thursday, January 25, 2018 11:17:36 AM
Attachments: [Atty Discipline Chart Primary \(2\) .docx](#)

Please see the attached document for a list of currently disciplined practitioners as of January 25, 2018. I would ask each Court Administrator to post this list in a conspicuous place in order to inform the public of the status of these practitioners. This list will be updated as orders are issued by the Board of Immigration Appeals or the Immigration Courts. Names of reinstated practitioners will be removed from the list after 6 months.

The recently disciplined practitioners are:

Rachel Bengtson-Lang - On January 22, 2018, the Board issued a final order indefinitely suspending Attorney Bengtson-Lang on the basis that she is involuntarily restricted from the practice of law in Minnesota.

Pascual Madrigal - On January 22, 2018, the Board issued a final order suspending Attorney Madrigal for 90 days based on his 90-day suspension in Texas for engaging in misconduct involving communication and declining or terminating representation.

Sergio Magana - On January 24, 2018, the Board issued a final order disbaring Attorney Magana based on the revocation of his law license in Wisconsin for misconduct involving diligence, communication, and trust accounts.

Andre Michniak - On January 22, 2018, the Board issued a final order disbaring Attorney Michniak after he was disbarred on consent in Pennsylvania.

Lauro Nick Pacheco, Jr. - On January 22, 2018, the Board issued a final order indefinitely suspending Attorney Pacheco based on his failure to comply with the minimum continuing legal education requirements and for failure to pay his state bar dues in California.

Confidential Discipline - Since the last update, the EOIR Disciplinary Counsel issued confidential discipline to 5 practitioners for the following misconduct: failing to file a brief after indicating on the notice of appeal that a brief would be filed; failing to apply for relief by the court-ordered deadline; failing to file an adequate motion to continue; repeated failures to appear for scheduled hearings in a timely manner without good cause; and, filing an untimely motion to withdraw and then failing to appear.

EOIR's Attorney Discipline Program now has a dedicated e-mail address that EOIR employees may use to report misconduct by private immigration practitioners. The e-mail address is EOIR.AttorneyDiscipline@EOIR.usdoj.gov and appears in the global address list as EOIR Attorney Discipline (EOIR).

Please note that pursuant to Chapter 10.9 of the Immigration Court Practice Manual and Chapter 11.10 of the Board of Immigration Appeals' Practice Manual, a disciplined practitioner is obligated to advise all clients whose cases are pending before the Immigration Court or the Board that he or she has been disciplined. The Immigration Court Practice Manual further states: "Once a practitioner has been expelled or suspended [by an order issued by the Board or an Adjudicating Official,] the practitioner's pending cases are deemed unrepresented. The Immigration Court rejects filings that are submitted by a practitioner after he or she has been expelled or suspended [by an order issued by the Board or an Adjudicating Official.]" (Emphasis added.) The Board's Practice Manual has a similar provision. Therefore, a disciplined practitioner has no authority to make any requests, including motions for continuances, in any of his or her former clients' cases, and the Immigration Courts and the Board do not, and should not, deal with a disciplined practitioner concerning his or her former clients' cases.

Also please note that if a practitioner is suspended or expelled, he or she may resume representation of former clients only after the Board issues an order granting reinstatement. Furthermore, they are then required to enter a new Notice of Entry of Appearance form in each case, even if he or she was the attorney at the time that discipline was imposed. Immigration Court Practice Manual Ch. 10.10(d); Board's Practice Manual Ch. 11.10(b), 11.12(c); EOIR Rules of Professional Conduct, 8 C.F.R. § 1003.107(c).

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